

YOUR HONOR Paul J. Barbadoro

5-13-21

I write to request a change in attorney for my sentencing hearing. I have suffered an irreparable breakdown in the attorney-client relationship due to the unprofessional, unethical, and arrogant behavior of my attorney, Patrick Richards. His actions have not only placed me in a dismal situation legally, they have also caused me great personal pain, stress and anger. I do not trust him and I cannot communicate with him; our communication is irreparable. Nothing he tells me has any meaning to me now after he has manipulated me and has taken advantage of my ignorance of the law and my legal understandings; he has pushed me into going to trial against my wishes. This man used me as a tool to gratify his narcissism and tossed my future away in the process. I intend to file both an IAC claim and a formal Complaint with the bar association. I will explain in vivid details the many reasons why I cannot possibly have an effective Attorney-client relationship with Mr. Richards, so you can have the necessary context to evaluate my request. I'm trying to be as professional about this as possible but it's hard because my life hangs in the balance.

First, I would like to acknowledge and apologize for my error in requesting the removal of my first court appointed attorney Mr. Behzad Midhrasheri. I fired him in an impulsive, ill considered move. I had just been charged and was overwhelmed by anxiety and opioid withdrawal so I overreacted.



Because of my ignorance of the law, I did not understand his strategy, and I made a choice I regret. I fully understand and appreciate the Court's interest in judicial economy. I know it is in no one's interest to allow any defendants to cycle through attorneys without cause but while I admit foolishly fired my first attorney, this situation is entirely different, more thought out and more justified. I hope you will excuse the length of my explanation. I want to clearly show the seriousness of the lack of communication and breakdown in our attorney-client relationship.

At the very start of our relationship MR. Richards began a pattern of negligent and cavalier behavior, even though my life effectively hung in the balance. He was assigned to me after the removal of MR. Mirhashem, but MR. Richards never contacted MR. Mirhashem to inquire about or actually acquire any of the research or records that MR. Mirhashem had in regards to my case. After this inauspicious beginning things only got worse. MR. Richards was consistently uncommunicative, unresponsive to my request, questions, and utterly unconcerned about my many concerns. I asked him many times to file a mental health evaluation motion, due to my history of head injuries and mental health diagnoses. Despite my repeated and explicit request for him to file said motion he never did so. I explicitly told him to file a motion to dismiss my



possession of a firearm charge based on my codefendant sending a letter (to who?) claiming sole possession of everything in the trunk of the car that the firearms were found inside of. He refused to do so, on the grounds that I lacked standing to attempt to dismiss the charge since the guns were not in my name or in any way my possession because it was my codefendant car. At the time due to my ignorance of the law as an uneducated layman, I did not understand that this answer was both patently absurd. I have a letter from him telling me I can't challenge the guns. I asked about a motion to dismiss based on my codefendant unambiguous, written admission claim of ownership of everything in the car trunk, including the firearms that she had legally purchased and owned in her own name. He answered as if I had asked about a motion to suppress based on an illegal search of the car, which he stated I lacked standing to file as the passenger in the vehicle. While undoubtedly, unintentional, this complete and consequential breakdown in communication was not entirely innocent. It was a symptom of Mr. Richards cavalier attitude towards my case and his arrogant attitude towards me, which was arrogant and so dismissive as to border contemptuous. His carefree attitude towards my case which I care very much for since it's my life and freedom considering he can effectively



Foreclose my hopes for a future. His attitude combined with his arrogance and over confidence that we had no chance at losing this case even though I was open to pleas is unprofessional and unethical and it poisoned our Attorney/client relationship. Its unrepairable. He totally dismissed all my concerns and request.

MR. Richards was extremely over confident in his ability to secure victory at trial, so much so that he overrode and ignored all my concerns and request which did not fit into his plans and strategy to be a star at trial. He refused my repeated request to file a motion for a mental health evaluation, which in his view must have seemed unnecessary, since he was totally confident he would get me acquitted of all charges at trial. Unfortunately his confidence at winning at trial did not only lead him to ignore my request but it caused him not inquire about a plea deal.

I asked on numerous occasions to inquire and ask the prosecution about what they are willing to offer for a plea bargain. MR. Richards flatly refused to even ask. His response was "no, fuck them" telling me that since one of the prosecutors was still wet behind the ears and the other "she has no idea what she's doing" he said he would destroy them at trial. When I persisted in asking him to inquire about the possibility



Of me pleading guilty, he again refused to do so justifying my concerns by saying my case was a slam dunk victory.

MR. Richards did not explain his reason for his being so very confident, other than in his denigration of the prosecution. MR. Richards explanation of his strategy consisted of saying, with an air of confidence, that he would ask the jurors next to them if they knew what was in the pocket of the Jurors next to them. This obviously implied how was I suppose to know what someone else has on them or in there car if its not mines, once they realized that they did not know what the person next to them had in there pocket they would acquit me of all charges since MR. Richards said nothing about conceding guilt on anything. Equally obviously, this approach was deeply deficient and flawed as to be incompetent given that I was charged with a multi-month conspiracy, not only a constructive possession of firearm charge. As of now im in the process of trying to figure out my own pro objections because I cannot and will not trust MR. Richards anymore. He's already did so much damage thats unreparable thats why Im asking for a different lawyer to get sentenced with. There are so many issues with MR. Richards that I can go on forever but I wont but Im going to list a few of them and once you read what I have wrote you will assign me a new attorney.

I truly appreciate your attention and  
concern in the matter



## REASONS for Request change of Attorney

- Failure to file motions
  - motion to dismiss firearms, based on codefendant claim they were legally ~~purchased~~ purchased by her
  - motion to file for a mental health evaluation
  - motion to get full discovery
- failure to explain upon my request my likely sentencing range before taking the case to trial
- Failure to explain my guideline range if we lost trial
- Failure to find out upon my request what type of plea bargain the prosecutor would offer
- Failure to listen to any input or any concerns I had
- Failure to explain any reasoning for any decision that he made
- Failure to explain why he felt we could not lose at trial
- Throughout entire process Mr. Richard brushed all my worries aside without explaining anything leaving me confused, lost, and helpless.
- limited access to discovery
- Government witness said he was with me on street



while he was incarcerated at the time, would not look into flatly refused to pursue this.

- Dictated I go to trial despite Mary request to inquire about a plea deal.
- Dragged to trial despite my stated interest in a plea deal
- I have issues to argue at sentencing and I can't articulate arguments in high pressure courtroom environment. I need someone to assist me explaining my thoughts about my PSR and my sentencing it cannot be MR. Richards there's no trust plus IM filing a bar complaint. I regret firing first attorney please assign new attorney and grant an extension so we can go over PSR and make arguments based on our finding. I need help and MR. Richards has done nothing but lead me to be slaughtered and off a cliff I just need help to make sure my landing does not claim my life. I have ADD, ADHD, BPD, PTSD, learning disability, emotionally handicapped, major depression, social anxiety disorder, I was last evaluated in 2015 since then I have had 11 OP's requiring 4 ER trips, lack of oxygen to brain several minutes on one occasion. I've been using drugs for 35 years and I've been in 2 motorcycle accidents one in 2002 and one in 2016. I just need help and MR. Richards is not that person please assign me a new lawyer so at least I



Can have at least a fair sentencing hearing.  
Thank you for taking the time to read my  
concern and I hope and pray you appoint me  
new counsel.

 20-02119

Christopher M. Kelly  
226 County Farm Rd  
Dover NH. 03820



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266 County Farm Road  
Dover N.H. 03820

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MANCHESTER NH 030

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FOREVER / USA

Day  
2021

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03301-390499

